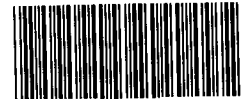


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2261559

May 5, 1994

Mr. Larry Rose  
Concerned Citizens to Save Fayette County, Inc. 1985  
P.O. Box 75  
Minden, West Virginia 25879

RE: Minden PCBs

Dear Mr. Rose:

I have completed my personal review of all documents provided to me, and requisitioned by us, under FOIA, from the U.S.E.P.A., U.S. Department of Health and Human Services-ATSDR, the GAO Review requested by Representative Rahall, newspaper articles, letters and documents from your Citizens Group, correspondence to, and from, the U.S. Congress, data from environmental experts such as NUS and Virginia Tech, medical profiles from Vanderbilt University, etc. It is my considered expert opinion that the only summary conclusion from all of this information, and data, is that the Citizens of Minden and Fayette County have not been well served by the numerous activities of the U.S. E.P.A., nor by the reviews of EPA, nor by the ATSDR review of the health complaints. There is a preponderance of government information that seeks only to show that the government has done a good enough job. This is however, not my conclusion as an independent scientist.

It is my considered opinion that:

1. The U.S.E.P.A. and the U.S. and West Virginia Governments in support, have allowed the fox to guard the hen house in Minden, West Virginia since at least 1984. No government study, that I have reviewed, currently exists to accurately and realistically answer the question: Why are the residents of Minden sick and how have their illnesses occurred?
2. The PCB activities of the Shaffer Equipment Company, directly resulted in gross contamination of the environment and residents of Minden, W Va due to Shaffer's violation of industry practices, EPA regulations on PCBs, and environmental laws, from the 1970s to the demise of their business activities in Minden.
3. The EPA allowed an unprincipled scientist to guide a clean-up program that he was not qualified by education, training and expertise to guide. EPA then confounded this mistake by allowing the prior Deputy Project Director, to state that everything they (including he)

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did was okay. This is gross mis-management and unethical Quality Control.

4. The use, by the unprincipled EPA Project Coordinator, of a new, unreliable procedure (that failed) to try to extract PCBs from soil was another indication of the lack of scientific management of the clean-up by EPA. EPA did not list Minden as a Superfund Site, but said that it followed Superfund guidelines in the clean-up. These measures are contradictions in terms and procedures, and cannot be mutually compatible. Like many Superfund Site "clean-ups" by EPA, the EPA management approaches to Minden, W. Va. doomed the "Minden clean-up" to failure.

5. The behaviors and actions by EPA in Minden have been scientifically unreliable, and clearly misleading. Statements by EPA that they initially "could not find the Shaffer pit" or did not know it was there, and/or wanted Minden residents/Shaffer ex-employees to find it for them, defy explanation by the largest environmental protection agency in the world. EPA once had a reliable contractor, NUS, on this job, but did not utilize NUS to the best advantage of Minden residents. The residents of Fairfax, VA, who experienced the same unethical scientist as Project Leader in the Star Petroleum fiasco can state, as did The Court in U.S. v. Shaffer Equipment Co., 796 F. Supp. 938 (S.D. W. Va. 1992) that neither scientists, the public nor judges will put up with bad science conducted by unethical scientists.

6. The results of testing since 1984, and continuing through 1993, show that gross contamination with PCBs did exist and still exists in Minden. The test findings, as published by VA Tech in 1991 and EPA through June, 1993, show that continuing PCB concentrations up to 840 ppm existed outside of direct dumping/spill areas and were in fact, compatible with pit area results. The definition of PCB contamination as between 50 and 500 ppm, and "PCBs" as greater than 500 ppm, clearly shows that the continuing PCB levels in Minden define the area as "PCB contaminated". How then, can the EPA consider Minden "cleaned-up"?

7. Unfortunately for the residents of Minden their best efforts to seek alternative government assistance through the U.S. Congress have also gone astray. The GAO considered the EPA measures appropriate but never reviewed the EPA clean-up methods and did not interview the former Project Manager. The GAO report is thus

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inherently flawed and of little value to me as a scientist. ATSDR did not work with the one Minden physician who knew and treated the residents. When presented with the Vanderbilt data on adverse health effects ATSDR provided its typical response "the public health implications of this exposure therefore cannot be assessed".

8. It is my conclusion that most government efforts have centered around not discovering the health impact of the PCBs on the Minden residents in their home environments. I have seen no testing on PCDDs, PCDFs, dioxins, home surface levels of PCBs, air levels of PCBs, estimations of dermal dose, estimation of food supply dose, etc. ATSDR could not conclude with certainty about consumption of snapping turtles contaminated with PCBs. Why did they not conduct a sampling survey for same and conduct a study to answer this question? The entire pattern of ATSDR was to find uncertainties and then to throw up their hands with an "I don't know" attitude. How does this approach make the residents of Minden and Fayette County recover their health, feel better, or even learn what they should do to reduce exposure to PCBs?

Millions of dollars have been spent by the U.S. Government in Minden with the only positive result for Minden being the shipping of some PCB contamination to Alabama. Little has been accomplished to improve the health of Minden residents or to explain to them their illnesses. The toxicological implications of the health profiles show an unmistakable correlation between the illnesses and contamination by an aromatic, chlorinated hydrocarbon. Since PCBs are the known chemical identified why has the link to the toxic isomers of PCBs not been studied? The EPA et al. reports act as if we scientists do not know that certain PCB isomers are toxic and others are not. The use of "Aroclor" analysis, whether using 1260, 1254, or 1242, etc., in the 1990s, is another unexplained and mystifying methodological approach by EPA in the very unscientific study of Minden, W.Va.

The only approach that can help Minden, W Va. residents at this time is to get the government out of its cleanup. As the tenth anniversary of this fiasco approaches, clear, objective minds are needed, not more government reviews to state that government reviews show that government has done its job. Minden, W. Va is out of time.

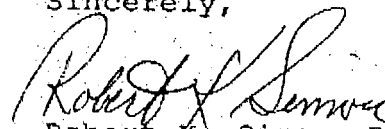
I urge Senator Bryd to introduce a bill in Congress to authorize the expenditure of funds, as necessary, to assist in the complete evaluation and remedial cleanup of PCBs in Minden, the

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purchase and demolition of all contaminated homes, and the necessary medical surveillance and treatment of all ill residents. I urge that the National Academy of Sciences be requested to name a Committee on Toxicology to review the current status of this matter. I strongly urge the naming of Dr. Ian Nisbet, Ph.D., known to EPA and scientists throughout the U.S., as a man of indisputable integrity and highly knowledgeable on PCBs, to head this Committee.

Sincerely,

  
Robert K. Simon, Ph.D.  
Principal Scientist

cc: enclosures as stated